

U.S. DISTRICT COURT
DISTRICT OF WYOMING

2012 JUL 25 PM 10 48

STEPHEN L. CO, CLERK
CHIEF CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

YOLANDA EVERT, individually and as
the Qualified Wrongful Death
Representative of Erwin Evert, deceased,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendants.

Case No. 11-CV-339-F


ORDER VACATING SITE VISIT

This matter is before the Court on its own notice. On June 25, 2012, the parties filed a Joint Motion for the Court to View Site. In their motion, the parties proposed several sites for viewing during the site visit. On June 28, 2012, the Court granted the parties' motion and set the site visit for July 30, 2012, at 10:00 a.m. Through discussions between chambers and the parties, the location was determined, along with one stipulated appendix containing a proposed travel route, which involved an approximate four mile round trip hike.

United State Marshals toured the location in advance of the site visit. After their visit they determined that there was significant bear activity in the area. The United States Marshal expressed his concern about the safety of all parties involved in the potential site visit, based both on bear activity and the remoteness of the terrain in the event of a potential injury or other issue. The Court agrees with these concerns and finds that it is best to cancel the site visit. At trial the parties may, with proper foundation, provide videos or photos of the relevant areas as they find necessary.

IT IS ORDERED that the site visit for July 30, 2012 at 10:00 a.m. is **VACATED**.

Dated this 25th day of July, 2012.



Nancy D. Freudenthal
Chief U.S. District Court Judge